

Minutes of April 4, 2003 Meeting
Cucamonga County Water District
10440 Ashford Street
Rancho Cucamonga

1. Vice-Chair Ameri called the meeting to order at 9 :00 a.m.

Board Members Present

Board Members Absent

Fred Ameri, Vice-Chair
Jose Solorio
Seymour Van Gundy
John Withers
Joan Dotson
William Ruh

Carole Beswick, Chair

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Robert L. Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Joanne E. Schneider, Environmental Program Manager
Wanda M. Smith, Chief, Basin Planning Coastal Waters
Jun Martinez, Chief, Regulations
Milasol C. Gaslan, Chief, Storm Water Inland Waters
Mark E. Smythe, Chief, Storm Water Coastal Waters
Gary D. Stewart, Chief, Surveillance and Enforcement
Barbara Laffoon, Executive Assistant

State Board Representative

There was none present

Legal Counsel

Jorge León

Public Attendance

Scott Goulart, Aerojet
Clarence Walder, Lenny's Auto Wrecking
Riley Clark, Whisper Ranch
Mick Schulz, US EPA , Los Angeles
Jill Willis, Best, Best & Krieger
Karen Hauptly, County of Orange
Rob Haney, Applied Process Technology
Reid Bowman, Applied Process Technology
Glenn Thomas, Mountainview Power Company
Gerald J. Black, Fontana Water Company
Mike McGraw, Fontana Water Company
Jason Sapp, Geologic Associates
Debra McKean, IEWRCD
Eric Fraser, City of Colton
Rod Cruze, City of Riverside

Wayne Simmons, Whisper Ranch
John Copeland, Aqua International Consultants
Creven Hardcastle, Geomatrix
Dave Commons, City of Redlands
Grace Pina-Garrett, Cal Trans
S. Vega, Cal Trans
Greg Woodside, Orange County Water District

2. Public Forum

Hank Stoy, Vice-President of the Cucamonga County Water District, welcomed the Board and the public to the facility.

Reid Bowman of Applied Process Technology passed out brochures to the Board describing the work of their firm.

3. Approval of Minutes of, 2003 meeting

There being no additions or corrections, the minutes of the regular board meeting held on February 21, 2002, were approved as presented.

4. Approval of Consent Calendar Items

Executive Officer (EO) Thibeault advised the Board that consent item numbers 5 and 8 had errata; number 6, The Colonies, had been postponed. The following items remained on the calendar:

*5. Renewal of Waste Discharge Requirements for San Bernardino Municipal Water Department, Geothermal Facility, San Bernardino County, (NPDES No. CA8000015) Order No. R8-2003-0004

*7. Rescission of Waste Discharge Requirements Order No. R8-2003-0051

	Order No.	Facility and Location
1.	86-175	LVW Brown Estates, Riverside
2.	76-128	Bellevue Truck Wash, Pedley
3.	79-124	CEMEX Construction Materials, Inc., Redlands
4.	00-003	Mountainview Power Company, San Bernardino
5.	00-004	Riverside Canal Company, Grand Terrace

*8. Revised Waste Discharge Requirements, City of San Bernardino Water Reclamation Plant, 399 Chandler Avenue, San Bernardino, San Bernardino County Order No. R8-2003-0020

*9. Federal Fiscal Year (FFY) 2003 State Revolving Fund (SRF) Loan Program for the Santa Ana Resolution No. R8-2003-0053

*10. Resolution Regarding Funding from the State Water Resources Control Board (SWRCB) Emergency, Abandoned and Recalcitrant Site Account, Order No. R8-2003-0049

Action: It was moved by Member Withers, seconded by Member Ruh and unanimously approved that the Board adopt Orders No. R8-2003-0004 and 0020 with errata and Orders No. R8-2003-0051, 0053, and 0049 as presented.

6. Waste Discharge Requirements, The Colonies Partners LP, R8-2003-0025

This item was postponed.

11. Request for Cleanup and Abatement Account Funds for Perchlorate Cleanup Projects, Resolution No. 2003-0053

Action: It was moved by Member Ruh, seconded by Member Solorio and unanimously approved that the Board adopt Resolution No. 2003-0053 requesting the State Board to allocate an additional \$2 million from the Cleanup and Abatement Account for wellhead treatment projects for the Cities of Colton and Rialto, West Valley Water District and Fontana Water Company.

12. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

Kurt Berchtold advised the Board that to date, ten investigation orders had been issued. An additional investigation order is being drafted for General Dynamics. One Cleanup and Abatement Order for Emhart Industries, Inc., was scheduled for Board consideration on April 3, 2003, but this was postponed to a later date.

Both Eric Fraser of the City of Colton and Francis Logan, counsel for the City of Rialto, expressed their appreciation for the Board's response to the perchlorate problem.

13. U. S. Environmental Protection Agency

EPA Representative Mike Schulz updated the Board on the work of EPA and on the opening of a new Southern California field office. A final decision on the location has not been made, but it is anticipated that it will be placed in the Los Angeles area and will serve the Los Angeles, Ventura, Orange, and San Diego counties, and the urbanized Riverside and San Bernardino County areas.

14. Public Hearing – Basin Plan Amendment to Incorporate a Diazinon and Chlorpyrifos Total Maximum Daily Load (TMDL) for San Diego Creek and Upper Newport Bay — Resolution No. R8-2003-0039

Information pertaining to this item is contained in a verbatim transcript.

The item was presented by Environmental Scientist Doug Shibberu.

Action: It was moved by Member Dotson, seconded by Member Ruh and unanimously approved that the Board adopt Resolution No. R8-2003-0039 as presented.

15. 2003 Santa Ana River Sampling at Prado Dam

The report was accepted as presented.

16. Update on Compliance Status with Waste Discharge Requirements for Transportation Corridor Agencies/CAL TRANS, District 12 – Eastern Transportation Corridor, Section 14, Denitrification Facility, Irvine, Order No. R8-2002-0093

Gary Stewart reminded the Board that at the December 3, 2002 meeting, the Board adopted renewed waste discharge requirements for discharges of groundwater to Peters Canyon Wash resulting from dewatering activities along the Eastern Transportation Corridor. Those requirements were issued to CALTRANS and Transportation Corridor Agencies (TCA). The Order contains a time schedule for the dischargers to achieve compliance with the stringent selenium limits contained in the order. The Order also required the dischargers to prepare a report by April 1, 2003, that discusses the measures that could be implemented rapidly, at least on a short-term basis, to reduce or eliminate selenium discharges. During the December 3 meeting, the Board requested the dischargers to brief the Board at the April 4 meeting on the findings of that report. Mr. Stewart noted that the report had been submitted on time and introduced James Brown, TCA Director of Engineering, to brief the Board on its contents.

Mr. Brown noted that they had actively pursued the Board's instruction to eliminate discharges of selenium to Peters Canyon. The most feasible alternative was direct sewerage. The dischargers immediately began meeting with the Orange County Sanitation District (OCSD) and the Irvine Ranch Water District (IRWD) for solutions. They received full cooperation from both agencies, and OCSD agreed to provide a temporary discharge permit, April 1 through June 2003.

Mr. Brown voiced concern that their discharge might cause the selenium discharges to exceed those allowed for the two agencies and also noted that the discharges through the sewer system might have to stop in emergency situations or when the discharge limits were threatened to be violated.

Mr. Brown said that long term treatment alternatives are being sought.

17. Mandatory Penalty Complaint, Lenny's Auto & Truck Wrecking, Orange County, Mandatory Penalties Complaint No. R8-2003-0032

Information pertaining to this item is contained in a verbatim transcript.

Associate Engineering Geologist Patrice Copeland presented this item to the Board.

Clarence Walder, Manager of Lenny's Auto & Truck Wrecking, represented the discharger.

Action: It was moved by Member Solorio, seconded by Member Dotson and unanimously approved that the Board affirm Mandatory Penalty Complaint No. R8-2003-0032 in the amount of \$5,000.00.

18. Mandatory Penalty Complaint, Kinder Morgan Energy Partners, L.P., San Bernardino County, Mandatory Penalties Complaint No. R8-2003-0040

Executive Officer Thibeault advised that the liability had been paid, and the discharger waived its right to a hearing. No further Board action was required.

19. Administrative Civil Liability Complaint, Avalon Homes, Orange County, Administrative Civil Liability Complaint No. R8-2003-0021

Executive Officer Thibeault advised that the liability had been paid, and the discharger waived its right to a hearing. No further Board action was required.

20. Administrative Civil Liability Complaint, Woodbridge Development, Orange County, Administrative Civil Liability Complaint No. R8-2003-0023

Executive Officer Thibeault requested that this item be postponed.

21. Administrative Civil Liability Complaint, Downtown Auto Wrecking, San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0008

Information pertaining to this item is contained in a verbatim transcript.

Milasol Gaslan, Chief of Storm Water (Inland Waters), presented the item to the Board.

Action: It was moved by Member Withers, seconded by Member Ruh, and unanimously approved that the Board affirm the Administrative Civil Liability Complaint No., R8-2003-0008 in the amount of \$2,500.

22. Administrative Civil Liability Complaint, Wildwood Canyon Country Estates, LLC, San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0026

Information pertaining to this item is contained in a verbatim transcript.

Milasol Gaslan, Chief of Storm Water (Inland Waters), presented the item to the Board.

David Cooper, Project General Manager, and Ronald Butts represented Wildwood Canyon Country Estates.

Action: It was moved by Member Solorio, seconded by Member Dotson, and unanimously approved that the Board affirm the Administrative Civil Liability Complaint No., R8-2003-0026 in the amount of \$35,000.

RECESS

The meeting was recessed for lunch at 12:10 p.m. and reconvened at 12:55 p.m.

23. Administrative Civil Liability Complaint, Whisper Ranch Ltd., San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0027

Information pertaining to this item is contained in a verbatim transcript.

Milasol Gaslan, Chief of Storm Water (Inland Waters), presented the item to the Board.

Riley Clark and developer Wayne Simmons represented Whisper Ranch. Both representatives felt that the developer had taken all necessary steps to address the problem.

Action: It was moved by Member Solorio, seconded by Member Dotson, and unanimously approved that the Board affirm the Administrative Civil Liability Complaint No., R8-2003-0027 in the amount of \$85,000 and offer the discharger the option of applying one-half of the penalty toward a Supplemental Environmental Program approved by the Executive Officer. The discharger must submit intention of exercising this option in writing to the Executive Officer with 14 days of this date. Absent this written request, the balance is due thirty (30) days from this date.

24. Administrative Civil Liability Complaint, Montclair 16215 LLC, San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0033

Executive Officer Thibeault advised that the liability had been paid, and the discharger waived its right to a hearing. No further Board action was required.

25. Administrative Civil Liability Complaint, Taylor Woodrow, San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0036

Executive Officer Thibeault advised that the liability had been paid, and the discharger waived its right to a hearing. No further Board action was required.

26. Administrative Civil Liability Complaint, Fieldstone Homes, San Bernardino County, Administrative Civil Liability Complaint No. R8-2003-0037

Executive Officer Thibeault advised that the liability had been paid, and the discharger waived its right to a hearing. No further Board action was required.

27. Administrative Civil Liability Complaint, Robertson's Ready Mix, Orange County, Administrative Civil Liability Complaint No. R8-2003-0043

Executive Officer Thibeault advised that this item had been postponed at the request of the discharger.

28. Hazardous Waste and Sewage Spill Incident Report

Lists of such incidents were provided as an information item to the Regional Board.

29. Underground Storage Tanks Site Closure Report

Lists of such incidents were provided as an information item to the Regional Board.

30. Underground Storage Tanks Corrective Action Plans

Lists of such incidents were provided as an information item to the Regional Board.

31. General Permits

Staff provided the Board with a list of all new permittees recently enrolled under the Region's general permits.

32. Executive Officer's Report

EO Thibeault reported on a joint meeting at which he addressed the Boards of Orange County Water District (OCWD) and Municipal Water District of Orange County regarding the introduction of perchlorate from Colorado River water. He will also attend a meeting with the OCWD General Manager and Metropolitan Water District to discuss alternatives for addressing this problem.

EO Thibeault participated in a Peer Review with OCSD evaluating the Sanitation District's full secondary treatment program schedule.

33. Regional Board Member Communications

There was none.

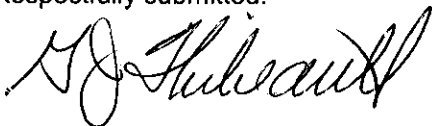
34. Closed Session

None was held.

35. Adjournment

The meeting was adjourned at 2:25 p.m. to the regular meeting of May 16, 2003, at 9:00 a.m., at the City Council Chambers of Santa Ana.

Respectfully submitted:



GERARD J. THIBEAULT
Executive Officer

/bjl